

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bruce H. HANSON et al.

Group Art Unit: 3653

Appln. No. : 10/715,516

Examiner: Khoi H. TRAN

Filed : November 19, 2003

For : **SYSTEM AND METHOD OF FILING CONTAINERS**

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop **Appeal Brief - Patents**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Notification of Non-Compliant Appeal Brief of July 13, 2007, which set a response period of one month, Appellants submit that a Supplemental Appeal Brief is not required. On August 1, 2007, Appellants discussed the Notification with Ms. Lorenda Hood, Patent Appeals Center Specialist. In particular, Appellants' undersigned representative indicated that discussion of the withdrawn independent claims was necessary in view of the Restriction Requirement of September 27, 2006. Ms. Hood agreed and indicated that the Notification would be withdrawn and a paper would be forthcoming. As of this filing, no paper withdrawing the Notification has been received by the undersigned.

Appellants note a Notice of Appeal in response to the March 15, 2007 Office Action was filed April 26, 2007, and a supporting Appeal Brief was being timely submitted on June 8, 2007. Moreover, this Response is being timely submitted within one month of mailing of the

Notification of Non-Compliant Appeal Brief, i.e., by August 13, 2007. Also, this Response is fully responsive to the Notification.

As the requisite fee under 37 C.F.R. 1.17(c) in the amount of \$ 500.00 for the filing of the Appeal Brief was previously paid on June 8, 2007, Appellants submit no fee is due at this time for consideration of the pending appeal. However, if for any reason a fee is deemed necessary, the undersigned authorizes the charging of any filing fees for the Appeal Brief and/or any necessary extension of time fees to Deposit Account No. 19-0089. Appellants request that the Appeal Brief be forwarded to the Board for review and disposition.

Respectfully submitted,  
Bruce H. HANSON et al.

A handwritten signature in black ink, appearing to read "Andrew M. Calderon", written over a horizontal line.

Andrew M. Calderon  
Reg. No. 38,093

August 13, 2007  
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